IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.757 OF 1992

Shri Atmaram Sadashiv Sutar .. Petitioner

deceased thr.his legal heirs and repre.

vs

Shri Dagadu Ponaji Ladkat .. Respondent

Mr.Madhav Jamdar for Petitioner

Mrs I.M.Koparkar with Mr.Nitin Deshpande for Respondent

CORAM : D.G.KARNIK, J

DATE: 1ST SEPTEMBER, 2004.

P.C.

1. Learned counsel for the respondent-landlord states that the matter has been settled and the respondent has informed him that the petitioner-tenant has surrendered the possession of the premises to him. Mr. Jamdar learned counsel for the petitioner has no instructions as his client has not met him inspite of letters. Hence, the uncontroverted statement made by Mrs.Koparkar is accepted. Since the petitioner has already surrendered the premises, petition no longer survives and is accordingly dismissed.

D.G.KARNIK, J